

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION**

TYLER TECHNOLOGIES, INC.,

Plaintiff,

VS.

VBCONVERSIONS LLC,

Defendant.

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CIVIL ACTION NO. 4:14-cv-00150

**DECLARATION OF DAVID A. CROOK IN SUPPORT OF
VBCONVERSIONS LLC'S REPLY IN SUPPORT OF ITS MOTION TO DISMISS
(RATHER THAN EXERCISE DISCRETIONARY JURISDICTION UNDER 28 U.S.C. §
2201) OR, IN THE ALTERNATIVE, TO TRANSFER VENUE UNDER 28 U.S.C. § 1404(A)**

I, David A. Crook, hereby declare, pursuant to 28 U.S.C. § 1746, that the following is true and correct:

1. I am the Managing Member of Defendant VBConversions LLC (“VBC”), as such, I have the authority to make this Declaration on behalf of VBC. I am over 18 years of age, and competent to make this Declaration.

2. All of my statements herein are based either upon my personal knowledge or upon a review of records maintained by VBC in the ordinary course of business.

3. VBC has offered the conversion software I developed to the public since at least 2004. Over the years, I have written, and VBC has published, three major releases and dozens of incremental upgrades, all of which have been provided free to those who purchased a license for any version of the software.

4. Attached hereto as Exhibit “A-1” is a true and correct copy of a screenshot of the first portion of the page on the website download.com corresponding to VBC’s software, which I caused to be downloaded from http://download.cnet.com/VB-Net-to-C-Converter/3000-2212_4-10635897.html on June 16, 2014.

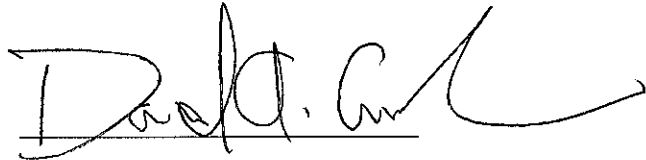
5. Attached hereto as Exhibit “A-2” is a true and correct copy of a screenshot of the first portion of the page on the website download.com corresponding to Microsoft’s Visual Studio 2010 software, which I caused to be downloaded from http://download.cnet.com/Microsoft-Visual-Studio-2010-Professional/3000-2212_4-10618634.html June 16, 2014.

6. Based on data recorded by VBC’s tracking system, I estimate that over 75% of the use of VBC’s software since 2006 has been illicit use by those who have pirated the software.

7. At times, pirates have managed to circumvent the technological measures VBC uses to control access to the software and post pirated copies in as little as a few hours after VBC publishes and updated release.

8. While the software's product name is VB.Net to C# Converter, when the installer is run, no executable file with that name is created on the computer as a result of the installation process.

I declare under the penalty of perjury that the foregoing is true and correct. Executed on June 16, 2014.

A handwritten signature in black ink, appearing to read "David A. Crook", written over a horizontal line.

David A. Crook.